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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/543,952	04/06/2000	Arthur R. Francis	RSW9-2000-0008-US1	7895

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EXAMINER

VAUGHN, GREGORY J

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 01/16/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/543,952

Applicant(s)

FRANCIS ET AL.

Examiner

Gregory J. Vaughn

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Application History***

1. This action is responsive to the application filing, Application filed on 4/6/2000.
2. Applicant submits Information Disclosure Statement on 3/21/2002.
3. Claims 1-28 are pending in the case, claims 1, 8, 15, and 22 are independent claims.

### ***Drawings***

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:
  - "540" in Figure 5.
  - "550" in Figure 5.
  - "560" in Figure 5.

A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

5. The disclosure is objected to because of the following informalities:
  - The disclosure recites those reference signs listed in paragraph 4 above, which are not shown in the drawings.

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- The disclosure recites "*resultant file 520*" (page 10, lines 17, 21(twice), 22, 27; page 11, line 1) in reference to Figure 5. In Figure 5, the reference sign "520" is directed toward "*Identify Tags*" and not "*Resultant File*".
- The disclosure recites "*transcoded files 530*" (page 10, lines 28, 29; page 11, line 1) in reference to Figure 5. In Figure 5, the reference sign "530" is directed toward "*Write Resultant File*" and not "*Transcoded Files*".

Appropriate correction is required.

6. The disclosure is objected to because it contains the following embedded hyperlinks and/or other form of browser-executable code:

- "<http://java.sun.com/products/jsp>" on page 8, line 18.
- "[www.hauntedhouse.com](http://www.hauntedhouse.com)" on page 9, line 8.

Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*"(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made."*

8. Claims 1, 6-8, 13-15, 20-22 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Britton et al. US Patent 6,535,896 (filed 1/29/1999, patented 3/18/2003).
9. **In regard to independent claim 1**, the first limitation of the claim is directed toward parsing a JSP file for JSP tags. In regard to JSP, Britton recites: *"the present invention is preferably written in an object oriented programming language such as JAVA"* (column 5, lines 29-30), and *"The program code may execute entirely on a Web server, or it may execute partly on a Web server and partly on a remote computer"* (column 5, lines 37-39). In regards to parsing, Britton discloses a *"XML parser"* in column 4, line 58 and defines a parser as: *"The structure of an XML document is essentially a tree. The root element is the top-level element, and its descendants (i.e., the other elements) branch out from there. XML parsers are applications that examine XML code"* (column 4, lines 54-57). Britton defines the elements of XML as *"tags to describe the contents of a page or file"* (column 4, lines 40). Britton fails to specifically disclose parsing JSP files for JSP tags, but Britton teaches the use of Java programming language, web server execution, and the parsing of files to identify elements.

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to combine the parsing of XML with the java programming and web server execution to *"facilitate the display of Web pages via pervasive computing devices that may have smaller displays and various*

*performance limitations as compared with desktop computing devices*" (column 3, lines 24-25).

The second limitation of the claim is directed toward masking the tags. Britton discloses masking in Fig.1 at reference sign 300.

The third limitation of the claim is directed toward converting un-masked tags into pervasive computing device specific tags. Britton discloses: "*tailor content for display via requesting pervasive computing device*" in Fig. 1 at reference sign 400.

The forth limitation of the claim is directed toward unmasking the tags. Britton discloses "*unmasking*" in Fig. 1 at reference sign 600.

The fifth limitation of the claim is directed toward storing the transformed file. Britton recites: "*These computer program instructions may also be stored in a computer-readable memory*" (column 5, lines 59-60).

10. **In regard to independent claims 8, 15 and 22**, the claims contain substantially the same subject matter as claim 1, and are rejected with the same rational.
11. **In regard to dependent claims 6-7, 13-14, 20-21 and 27-28**, the claims are rejected for fully incorporating the deficiencies of their base claims.
12. Claims 2-3, 9-10, 16-17 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Britton in view of Judson US Patent 6,185,586 (filed 4/6/1998, patented 2/6/2001).
13. **In regard to dependent claims 2 and 3**, the claims are directed toward the masking step, where masking includes embedding the tags in comment tags (claim

2) and unmasking includes removing HTML comment tags (claim 3). Britton disclose masking and unmasking as described above. Britton fails to disclose masking by use of comment tags. Judson teaches the use of comments tags to mask. Judson recites: "*Preferably, the information object is masked by an HTML comment tag, which may include other HTML tags nested therein to format the information in the object*" (column 3, lines 2-3).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use the comment masking of Judson with the masking of Britton so that "*the information is preferably "hidden" within the web page using a hypertext markup comment tag*" (Judson, column 2, lines 58-59).

14. **In regard to independent claims 9-10, 16-17, and 23-24,** the claims contain substantially the same subject matter as claims 2-3, and are rejected with the same rational.
15. Claims 4-5, 11-12, 18-19 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Britton in view of Ramaley et al. US Patent 6,585,177 (filed 1/19/1999, patented 7/1/2003).
16. **In regard to dependent claim 4 and 5,** the claims are directed toward the storing step, where the file is stored using a unique file name (claim 4) or a unique file extension (claim 5) for the pervasive computing device for which the file is formatted for. Britton discloses storing as described above. Britton fails to disclose storing with a unique file name or file extension. Ramaley discloses "*Assign Unique*

*Identifier Comprising Fixed String and Unique Instance Number*" at reference 620 in Fig. 6. Ramaley teaches the use of unique file naming

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made to add the file naming of Ramaley to the file storing of Britton to provide the benefit of "*placing information in a primary file that provides a cue*" (Ramaley, column 3, lines 7-8).

17. **In regard to independent claims 11-12, 18-19 and 25-26**, the claims contain substantially the same subject matter as claims 4-5, and are rejected with the same rational.



***Conclusion***

18. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:


<u>Patent</u>	<u>Date</u>	<u>Inventor</u>
• US-5,940,844 A	08-1999	Cahill et al.
• US-6,339,786 B1	01-2002	Ueda et al.
• US-6,578,192 B1	06-2003	Boehme et al.
• US-6,675,228 B1	01-2004	Bahrs et al.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (703) 305-4672. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached at (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Gregory J. Vaughn  
January 9, 2004

  
**STEPHEN S. HONG**  
**PRIMARY EXAMINER**